

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JUAN LOPEZ,  
*on behalf of himself, FLSA Collective Plaintiffs  
and the Class,*  
Plaintiff,

Case No. 20-cv-9113 (LTS) (BCM)

v.

THERMO TECH MECHANICAL INC.,  
GOWKARRAN BUDHU and SHANTI BUDHU,  
Defendants.

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**DECLARATION OF C.K. LEE IN SUPPORT OF  
PLAINTIFF’S MOTION FOR SANCTIONS AGAINST DEFENDANTS’ COUNSEL AND  
DEFENDANTS**

I, C.K. Lee, under penalty of perjury, affirm as follows:

1. My name is C.K. Lee, and I am a member of Lee Litigation Group, PLLC, Plaintiff’s counsel in the above-captioned matter.
2. I submit this Declaration in support of Plaintiff’s Motion for Sanctions Against Defendants’ Counsel and Defendants.
3. Attached as **Exhibit 1-A** hereto is a true and correct copy of Plaintiff’s Arbitration Agreement, from Defendants’ Employee handbook.
4. Attached as **Exhibit 1-B** hereto is a true and correct copy of Plaintiff’s Arbitration Demand Case No. 01-21-0004-9203, filed on July 26, 2021, with the American Arbitration Association (“AAA”).
5. Attached as **Exhibit 2** hereto is a true and correct copy of the Arbitrator’s Order regarding suspension and termination of Plaintiff’s Arbitration and AAA’s correspondence of the same, dated May 17, 2022 and May 18, 2022, respectively.

6. Attached as **Exhibit 3** hereto is a true and correct copy of the AAA's correspondence regarding the appointment of Arbitrator Sheindlin and Defendants obligation to promptly pay required fees, dated November 8, 2021.

7. Attached as **Exhibit 4** hereto is a true and correct copy of email correspondence between counsel for the parties and AAA regarding Defendants' consent to the appointment of a new arbitrator in the Arbitration, dated, November 1, 2021, through November 4, 2021.

8. Attached as **Exhibit 5** hereto is a true and correct copy of email correspondence between counsel for the parties regarding Defendants' objections to the Arbitrator's fees, dated April 21, 2022.

9. Attached as **Exhibit 6** hereto is a true and correct copy of correspondence from Plaintiff's counsel to Arbitrator, dated April 18, 2022, regarding Defendants' failure to comply with the Arbitrator's April 5, 2022 Order.

10. Attached as **Exhibit 7** hereto is a true and correct copy of Stipulation of voluntary dismissal filed in the federal action, dated July 7, 2021.

11. Attached as **Exhibit 8** hereto is a true and correct copy of email correspondence between counsel for the parties regarding the unconscionability of Defendants' arbitration agreement, dated June 23, 2021 through June 30, 2021.

12. Attached as **Exhibit 9** hereto is a true and correct copy of email correspondence between counsel for the parties regarding Arbitrator Scheindlin's reduced fees, dated May 17, 2022.

13. Attached as **Exhibit 10** hereto is a true and correct copies of samples of invoices for Mr. Lee's services.

14. Attached as **Exhibit 11** hereto is a true and correct copy is a detailed billing of all hours, expenses and fees incurred by counsel for Plaintiff.

Dated: New York, New York

Respectfully submitted,

July 15, 2022

By: /s/ C.K. Lee  
C.K. Lee, Esq.

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